

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

NIKE, Inc.,

Plaintiff,

v.

PUMA North America, Inc.,

Defendant.

Civil Action No. 1:18-cv-10876-LTS

JOINT STATUS REPORT AND MOTION TO STAY UPCOMING DEADLINES

Pursuant to the Court’s Order (ECF Nos. 117, 118), Plaintiff NIKE, Inc. (“NIKE”) and Defendant PUMA North America, Inc. (“PUMA”) submit this Joint Status Report and move the Court to reset the deadline to submit a proposed schedule for pre-trial submissions and stay other upcoming deadlines as set forth below. The parties state as follows:

1. The Court held a status conference on November 7, 2019 to discuss motions for summary judgment and setting a trial date. (ECF No. 117.) During the conference, the Court asked the parties to submit a proposed schedule for pre-trial submissions by November 21, 2019 in light of the Court’s forthcoming Order setting a trial date. (*Id.*) After the conference, the Court set trial to start December 7, 2020. (ECF No. 115.)

2. The parties thereafter conducted a settlement conference on November 12, 2019. The parties agreed to terms to resolve this dispute. The parties are now finalizing a written settlement agreement.

3. Therefore, the parties respectfully request the Court reset the deadline to submit a proposed schedule for pre-trial submissions for 60 days—from November 21, 2019 to January 20, 2020—to provide the parties time to finalize their written settlement agreement and complete

certain obligations required by the written settlement agreement. The parties anticipate filing a stipulated dismissal of this action prior to January 20, 2020.

4. The parties also respectfully request that the Court stay the following deadlines:

<u>Deadline</u>	<u>Current Due Date</u>
Presumptive deadline to amend and/or supplement preliminary patent-related disclosures of L.R. 16.6(d)(1) and (4) for good cause based on the court's entry of a claim construction that is different from that proposed by the party seeking amendment pursuant to L.R. 16.6(d)(5)(A).	Thursday, November 21, 2019 (28 days after entry of the Court's claim-construction ruling on October 24, 2019, <i>see</i> ECF No. 111)
Deadline to disclose reliance on advice of counsel as part of a patent-related claim or defense pursuant to L.R. 16.6(f).	

These deadlines are the only ones presently scheduled for before January 20, 2020, by which the parties anticipate being able to file a stipulated dismissal of this action. A stay of these deadlines will enable the parties to avoid unnecessary costs and to focus their efforts and resources on finalizing their written settlement agreement.

5. The parties do not request changes to any other dates or deadlines in this proceeding.

Dated: November 15, 2019

/s/ Christopher J. Renk

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Kevin Dam
